

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

-----X	:	
JOEL F. HOLUBAR,	:	
&	:	
MARIANA H. HOLUBAR	:	
	:	
Plaintiffs,	:	
	:	1:04-CV-11850
v.	:	(NG)(JD)
	:	
M/Y SWEET DISTRACTION, <i>in rem</i> ,	:	
CAPTAIN HAMMOND	:	
&	:	
JOHN & JANE DOES	:	
	:	
Defendants.	:	
	:	
-----X	:	

EXPARTE NOTICE OF MOTION
FOR LEAVE TO EXTEND THE TIME FOR SERVICE OF PROCESS

PLEASE TAKE NOTICE, that upon the affirmation of Bjorn J Holubar, an attorney admitted to practice in the related matter of *Holubar et al v Kholberger et al.*, *pro hac vice*, the Memorandum of Law, and upon all the prior pleadings and proceedings heretofore, the undersigned will move this Court before the Honorable Magistrate Dien, at the United States District Court, District of Massachusetts, located at 1 Courthouse Way in Boston, Massachusetts, as soon as counsel may be heard for an Order, pursuant to Federal Rule of Civil Procedure 4(m), to extend the time of service of process, and for other such and further relief as the Court deems just and proper.

Dated: New York, New York
December 21, 2004

JOEL F. HOLUBAR and
MARIANA H. HOLUBAR,
By their attorneys,

Bjorn J Holubar /s/

Lee T. Gesmer (BBO #190260)
Kurt Bratten (BBO #644730)
Gesmer & Updegrove LLP
40 Broad Street
Boston, Massachusetts 02109
1-617-350-6800 (phone)
1-617-350-6878 (fax)

Of Counsel:

Bjorn J. Holubar
770 Lexington Avenue, 7th Fl
New York, New York 10021
1-212-980-1992 (direct)
1-212-755-4199 (fax)